

STANDARD APPLICATION
Harford County
Board of Appeals
Bel Air, Maryland 21014

AUG - 7

Case No. 5615
Date Filed 7/30/07
Hearing Date _____
Receipt _____
Fee \$ 450.00

Shaded Areas for Office Use Only

Type of Application

- ☐ Administrative Decision/Interpretation
☐ Special Exception
☐ Use Variance
☐ Change/Extension of Non-Conforming Use
☐ Minor Area Variance
☒ Area Variance
☐ Variance from Requirements of the Code
☐ Zoning Map/Drafting Correction

Nature of Request and Section(s) of Code

CASE 5615 MAP 66 TYPE Variance

ELECTION DISTRICT 01 LOCATION 2705 Pulaski Highway, Edgewood 21040

BY Eric Deutsch, 731 Baltimore Pike, Bel Air 21014

Appealed because a variance pursuant to Sec. 219-13C(1)(g)[3] of the Harford County Code to permit a freestanding sign within the U.S. Route 40 CRD in the required 20 foot setback (proposed 2 foot) in the CI district requires approval by the Board.

NOTE: A pre-conference is required for property within the NRD/Critical Area or requests for an Integrated Community Shopping Center, a Planned Residential Development, mobile home park and Special Exceptions.

Owner (please print or type)

Name ERIC DEUTSCH Phone Number 410 459 4259
Address 731 BALTIMORE PIKE BEL AIR MD. 21014
Street Number Street City State Zip Code

Co-Applicant _____ Phone Number _____
Address _____
Street Number Street City State Zip Code

Contract Purchaser _____ Phone Number _____
Address _____
Street Number Street City State Zip Code

Attorney/Representative _____ Phone Number _____
Address _____
Street Number Street City State Zip Code

Land Description

Address and Location of Property 2702 PULASKI HIGHWAY
EDGEWOOD, MD. 21040

Subdivision _____

Lot Number _____

Acreage/Lot Size 2.94±Election District 01Zoning (I)Tax Map No. 66Grid No. 1AParcel 1

Water/Sewer: Private _____

Public ☒

List ALL structures on property and current use: OFFICE (600 SQ. FT.) 4 STORAGE
BUILDINGS 6600 SQ. FT. EA. TOTAL 26,400 SQ. FT.

Estimated time required to present case: 10 MINUTES

If this Appeal is in reference to a Building Permit, state number _____

Would approval of this petition violate the covenants and restrictions for your property? NO

Is this property located within the County's Chesapeake Bay Critical Area? Yes _____ No _____

If so, what is the Critical Area Land Use designations: _____

Is this request the result of a zoning enforcement investigation? Yes _____ No ☒Is this request within one (1) mile of any incorporated town limits? Yes _____ No ☒**Request**

TO PLACE FREE STANDING SIGN 2 FEET BACK
FROM PROPERTY LINE IN GRASS AREA. SEE ATTACHED

Justification

SEE ATTACHED

If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)

REASONS FOR SIGN VARIANCE REQUEST

3-D STORAGE LLC 2702 PULASKI HWY
EDGEWOOD, MD. 21040.

- # 1. NEED MORE DRIVE BY EXPOSURE TO PROMOT.
BUSINESS. (LOTS OF FEEDBACK SAYING "I DREVE
THIS ROUTE DAILY BUT DID NOT KNOW YOU WERE HERE" ¹)
- # 2 OFFICE IS SET BACK FARTHER THAN
BORDERING BUSINESSES AND NOT NOTICABLE.
- # 3 NEED MORE CUSTOMERS TO SUSTAIN THIS
BUSINESS.
- # 4 SIGN WOULD BE IN MIDDLE OF HANDICAP PARKING
AREA IF SET BACK 20 FEET.

THANK YOU

ERIC DEUTSCH

3-D PROPERTIES LLC.

410-459-4259 CELL

OR 410-838-9370 WORK

731 BALTIMORE PEKE

BEL AIR, MD. 21014

2702 PULASKI HIGHWAY

3-D STORAGE

REQUEST FOR VARIANCE OF SIGN LOCATION

PROPERTY IS UNIQUE IN THE FOLLOWING

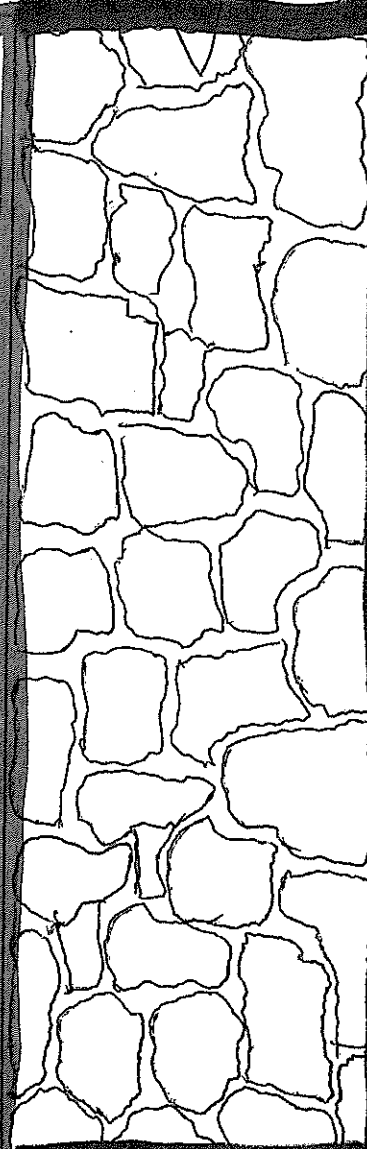
WAYS

- #1 THERE IS ONLY 120 FEET OF ROAD FRONTAGE FOR THIS 3.0± ACRE LOT.
- #2 SUBJECT PROPERTY IS BORDERED BY TWO OLDER BUSINESSES BOTH HAVING SIGNAGE TO WITHIN FEET OF PROPERTY LINES.
- #3 THERE IS 22' OF GRASS LAWN FROM SHOULDER CURB TO PROPERTY LINE. (SHA RIGHT OF WAY)
- #4 SHA RIGHT OF WAY IS MAINTAINED BY 3-D STORAGE.
- #5 20' BACK FROM FRONT PROPERTY LINE IS ALL ASPHALT PARKING/DRIVEWAY AREA.
- #6 OFFICE (3-D STORAGE) IS SET BACK BETWEEN THE TWO ADJOINING BUSINESSES LIMITING VIEW OF SIGN ON BUILDING.

3-D STORAGE

BOAT/RV/MINI

410-676-9477



STONE VENEER

VIEW FROM

EAST & WEST

3-D STORAGE

2027 VINEY

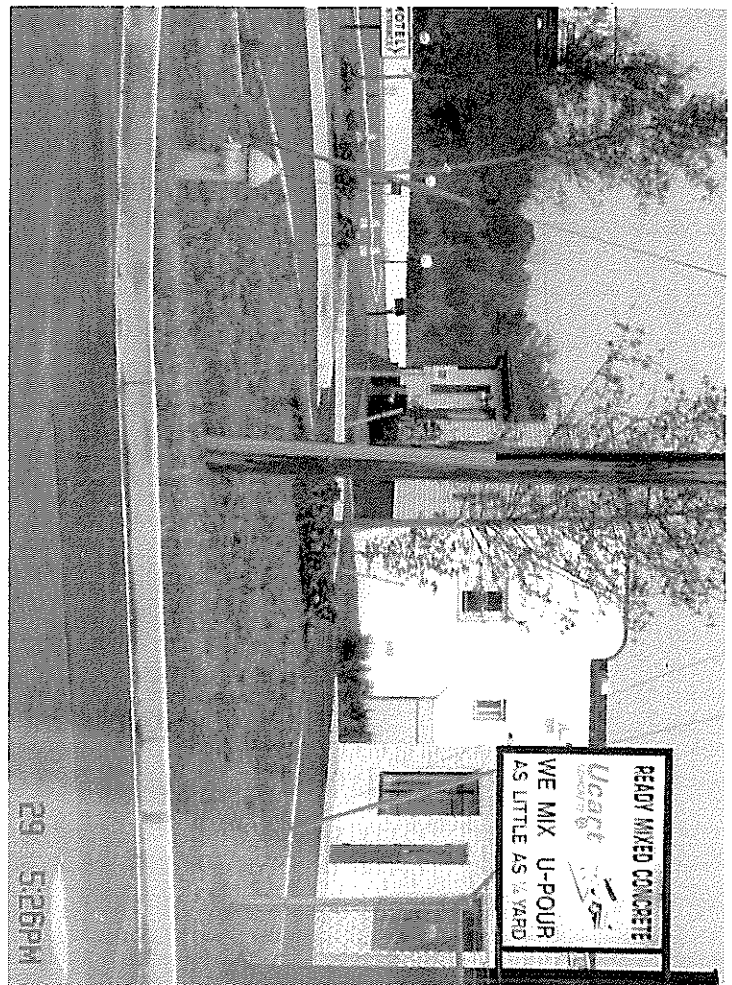
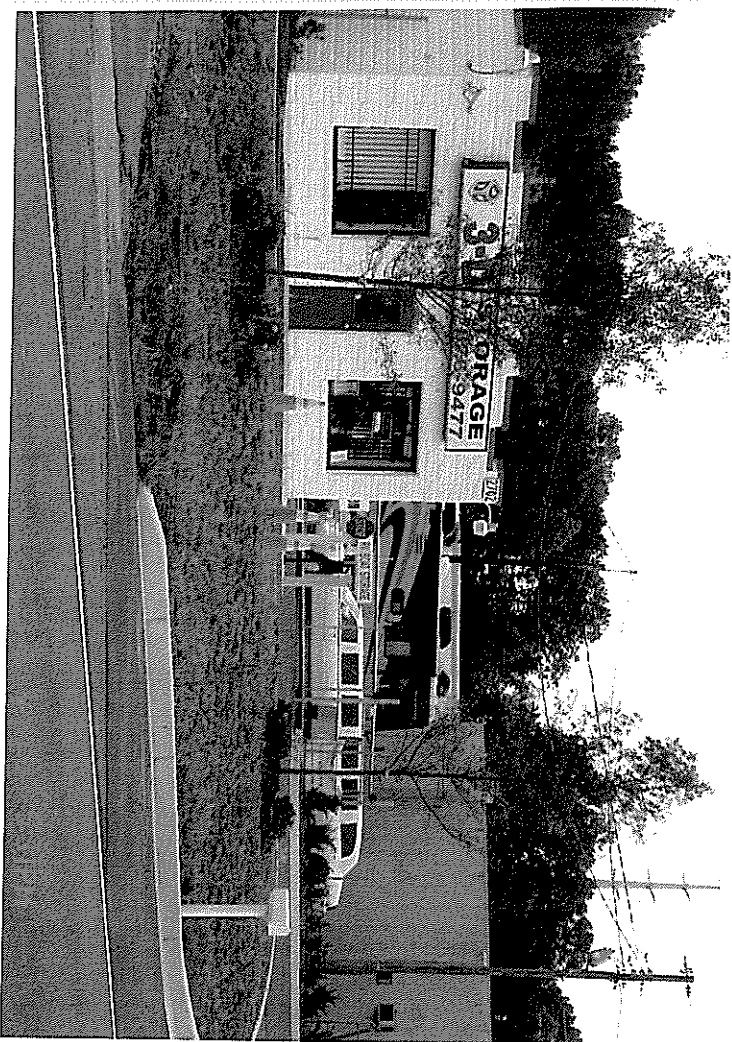
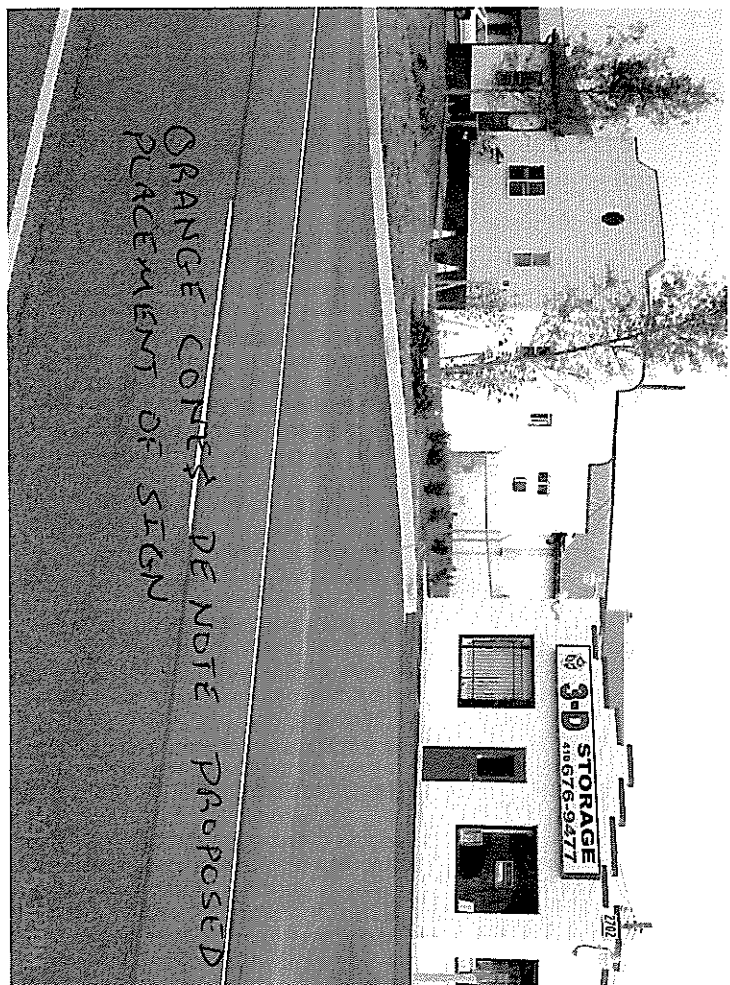
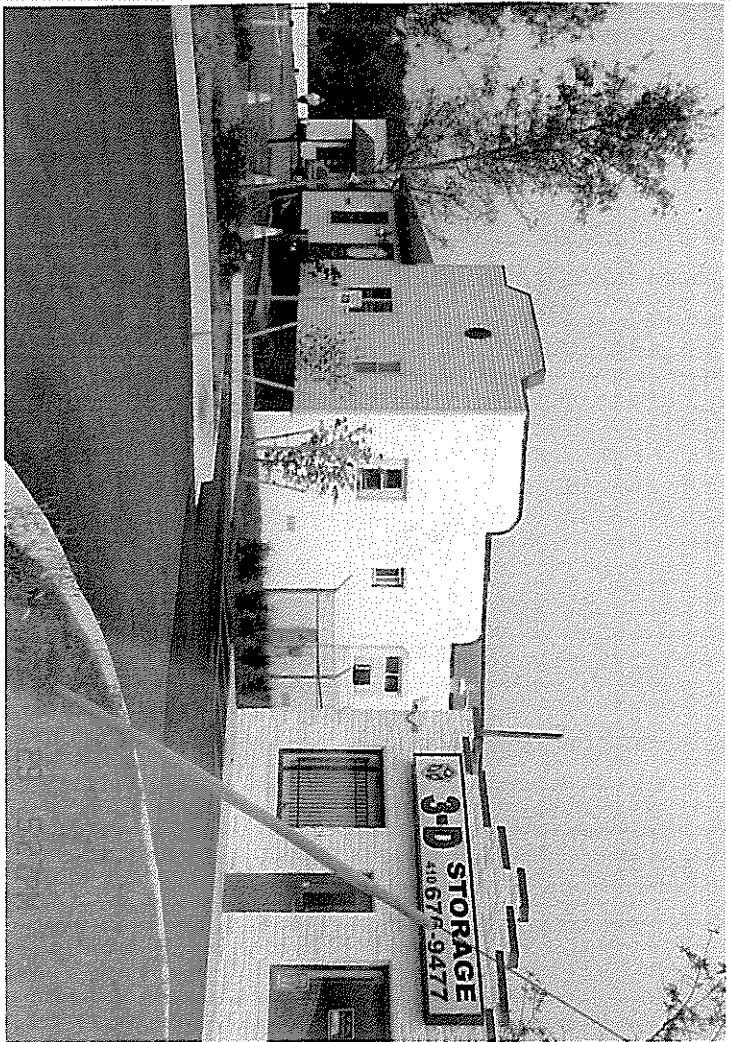
Hwy 2027 WOOD

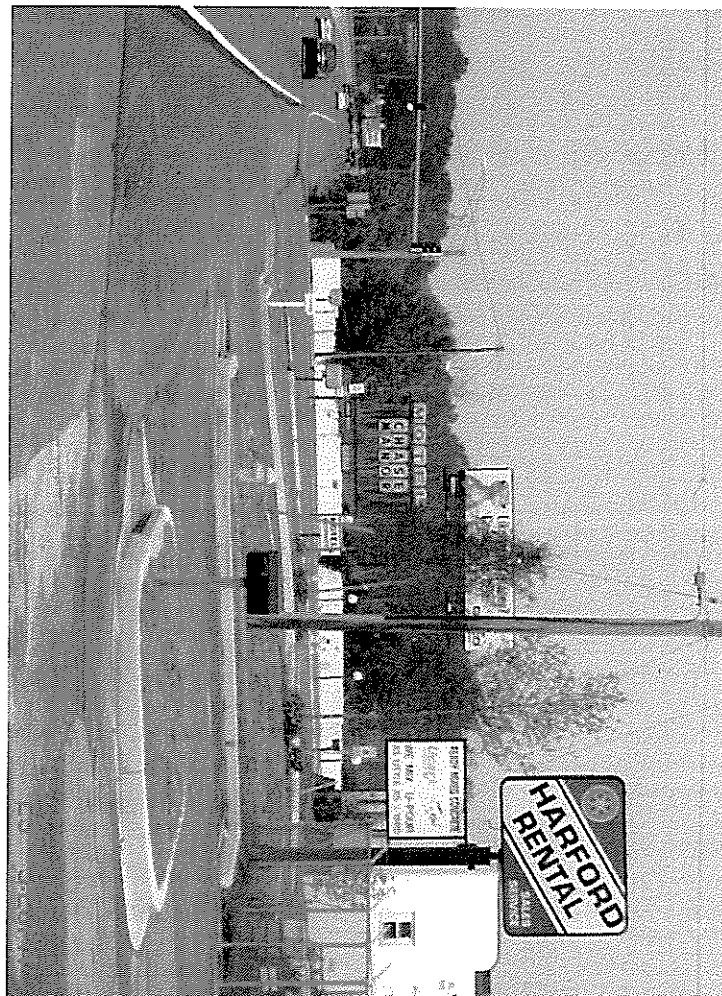
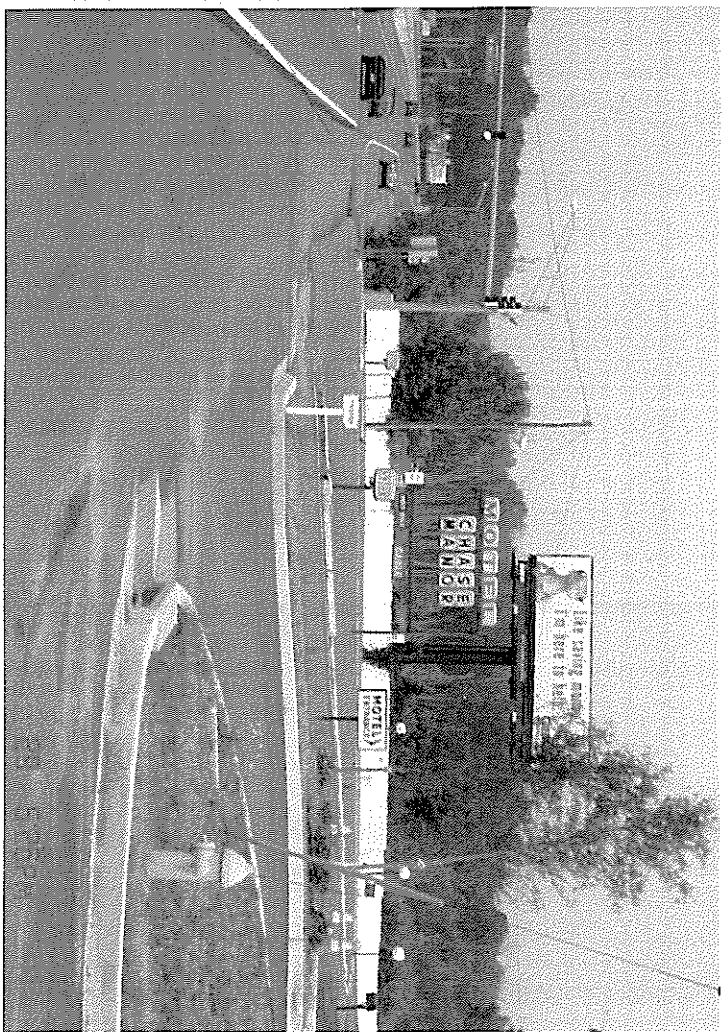
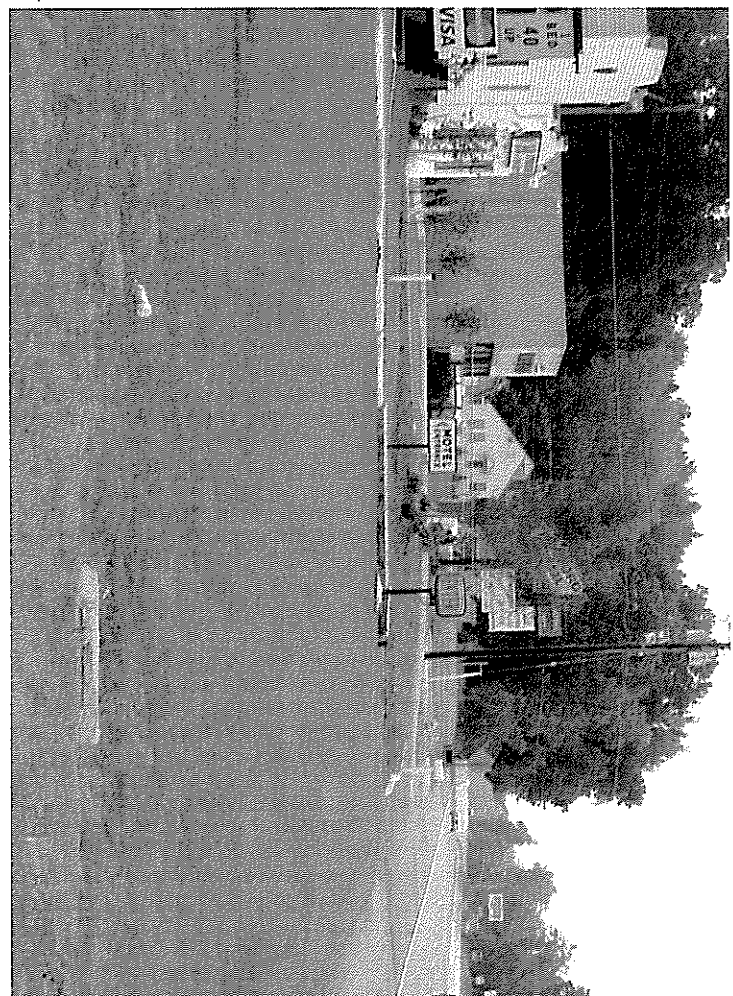
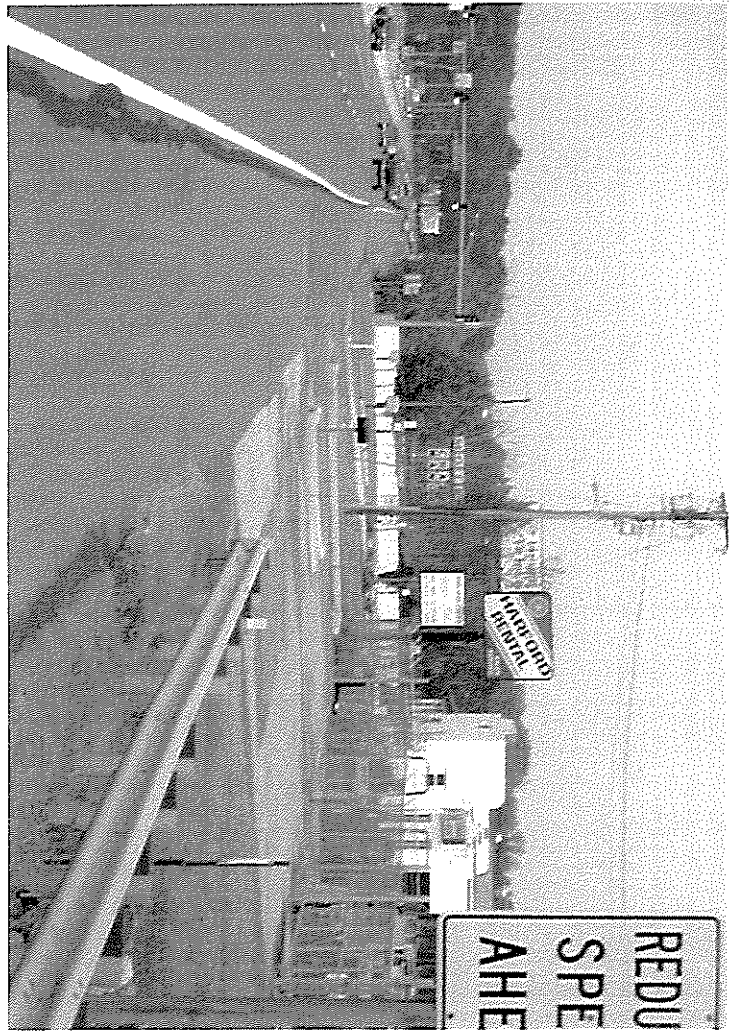
MD, 21040

3 1/2'

2 1/2'

6'





DAVID R. CRAIG
HARFORD COUNTY EXECUTIVE

LORRAINE COSTELLO
DIRECTOR OF ADMINISTRATION



C. PETE GUTWALD
DIRECTOR OF PLANNING & ZONING

HARFORD COUNTY GOVERNMENT

Department of Planning and Zoning

October 3, 2007

STAFF REPORT

BOARD OF APPEALS CASE No. 5615

APPLICANT/OWNER: Eric Deutsch
731 Baltimore Pike, Bel Air, Maryland 21014

REPRESENTATIVE: Applicant

LOCATION: 2702 Pulaski Highway - Edgewood
Tax Map: 66 / Grid: 1A / Parcel: 1
Election District: First (1)

ACREAGE: 2.94± acres

ZONING: CI/Commercial Industrial

DATE FILED: July 30, 2007

HEARING DATE: October 29, 2007

APPLICANT'S REQUEST and JUSTIFICATION:

Request:

"To place free standing sign 2 feet back from property line in grass area." See Attachment 1.

Justification:

See Attachment 2.

CODE REQUIREMENTS:

Preserving Harford's past; promoting Harford's future

MY DIRECT PHONE NUMBER IS (410) 638-3103

220 SOUTH MAIN STREET BEL AIR, MARYLAND 21014 410.638.3000 • 410.879.2000 • TTY 410.638.3086 • www.harfordcountymd.gov

THIS DOCUMENT IS AVAILABLE IN ALTERNATIVE FORMAT UPON REQUEST.

STAFF REPORT

Board of Appeals Case Number 5615

Eric Deutsch

Page 2 of 4

The Applicant is requesting a variance pursuant to Section 219-13C(1)(g)[3] of the Harford County Sign Code to permit a freestanding sign within the U.S. Route 40 Commercial Revitalization District (CRD) in the required 20 foot setback (proposed 2 foot) in the CI/Commercial Industrial District.

Section 219-13C(1)(g)[3] of the Harford County Sign Code reads:

[3] *Freestanding signs within the U.S. Route 40 Commercial Revitalization District ("Rte. 40 CRD"). Freestanding signs identifying shopping centers and other business development in the Rte. 40 CRD shall be allowed subject to the following standards. Freestanding signs shall not exceed one square foot in area for each foot of road frontage or 120 square feet, whichever is smaller. One such sign shall be permitted for each road frontage, or not more than two signs shall be permitted along any frontage which exceeds 500 feet. The maximum sign height allowed for any freestanding sign in the Rte. 40 CRD is 20 feet measured from the base of the sign. The sign shall be set back not less than 20 feet from the front property line [Added by Bill 00-10]*

LAND USE and ZONING ANALYSIS:

Land Use – Master Plan:

The Applicant's property is located on the north side of Pulaski Highway (U.S. Route 40) just east of Route 24. A location map and a copy of the Applicant's site plan are enclosed with the report (Attachments 3 and 4).

The subject property is located within the Development Envelope. The predominant land use designations in this area of the County are Low, Medium and High Intensities and Industrial/Employment. The Natural features Map reflects Chesapeake Bay Critical Area, Parks, Habitats of Local Significance, Sensitive Species Project Review Areas and Stream Systems. The subject property is designated as Medium Intensity which is defined by the 2004 Master Plan as:

Medium Intensity - Areas within the Development Envelope where residential development is the primary land use. Density ranges from 3.5 to 7.0 dwelling units per acre. Grocery stores, variety stores and other commercial uses are examples of some of the more intensive uses associated with this designation.

Enclosed with the report are copies of the Edgewood Community Area Map, the 2004 Land Use Map and the Natural Features Map (Attachments 5, 6 and 7).

Land Use – Existing:

STAFF REPORT

Board of Appeals Case Number 5615

Eric Deutsch

Page 3 of 4

This area of the county contains a mix of residential and commercial uses. Residential uses include mobile home parks, single family dwellings, townhouses, condominiums and garden apartments. Commercial uses include shopping centers, general merchandise and small retail establishments. There are also light industrial uses including warehousing. The topography of this area of the County ranges from rolling to steep. Enclosed with the report are copies of the aerial photograph and the topography map of the immediate area (Attachments 8 and 9).

The subject property fronts on the north side of Pulaski Highway east of Route 24. The property is within the U.S. Route 40 Commercial Revitalization District. The intent of this overlay district is to encourage revitalization and redevelopment in the U.S. Route 40. Flexibility of land uses and standards will encourage and enhance appearance and ensure compatibility with adjacent residential neighborhoods. Efforts are to improve business areas which include the physical enhancement of existing streetscape.

The subject property is flag shaped with approximately 120 foot \pm of frontage on U.S. Route 40. The property is improved with a self storage facility. Adjoining the subject property on the west side is a motel. Harford Rental is on the right side. Enclosed with the report are site photographs along with an enlargement of the aerial photograph (Attachments 10 and 11).

Zoning:

The zoning classifications in the area are consistent with the 2004 Master Plan as well as the existing land uses. Residential zoning ranges from R1 to R4/Urban Residential Districts. Commercial zoning includes B1/Neighborhood, B2/Community Business, B3/General Business and CI/Commercial Business Districts. There are several areas of GI/General Industrial Districts. The subject property is zoned CI/Commercial Industrial District as shown on the enclosed copy of the zoning map (Attachment 12).

SUMMARY:

The Applicant is requesting a variance pursuant to Section 219-13C(1)(g)[3] of the Harford County Sign Code to permit a freestanding sign within the U.S. Route 40 Commercial Revitalization District (CRD) in the required 20 foot setback (proposed 2 foot) in the CI/Commercial Industrial District.

Section 219-17:

The Board may grant a variance from the provisions of this chapter if, by reason of the configuration or irregular shape of the lot or by reason of topographic conditions or other exceptional circumstances unique to the lot or building, practical difficulty or unnecessary hardship results. The Board shall, before granting the variance, make a written finding as part of the record that the conditions or circumstances described are unique to the lot or building, that the conditions or circumstances cause the difficulty or

STAFF REPORT

Board of Appeals Case Number 5615

Eric Deutsch

Page 4 of 4

hardship and that the variance can be granted without impairment of the purpose and provisions of this chapter.


The Applicant wants to place a freestanding sign 2 feet back from the property line in the grass area as shown on Attachment 1. The proposal is to construct two sign boards 3.5 feet by 6 foot sitting on top of a 2.5 foot by 6 foot base with stone veneer (Attachment 13). The signs will form a triangle so that the sign can be seen in both directions on Route 40.

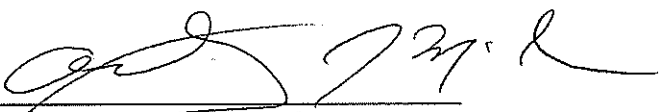
There are other areas on the property where the sign can be located to meet the requirements without impacting the parking area. There is an area to the left side of the parking area which is large enough to accommodate the sign and meet the setback requirements.

The intent of the CRD legislation is to improve the Route 40 corridor including the streetscape along Rt. 40. The Courts have stated that the need sufficient to justify a variance must be substantial and urgent and not merely for the convenience of the applicant. The requested variance would not be consistent with the intent of the code. The Department finds that the subject property is not unique. There are numerous properties along Route 40 which will be required to comply with this requirement and the existing nonconforming signs will be required to meet the requirements when they are replaced.

RECOMMENDATION and or SUGGESTED CONDITIONS:

The Department of Planning and Zoning recommends that the requested variance be denied.


Dennis J. Sigler, Coordinator
Zoning & Board of Appeals Review


Anthony S. McClune, AICP
Deputy Director, Planning and Zoning

DJS/ASM/jf